

UNITED STATES DISTRICT COURT
for the
Northern District of Alabama

| | | |
|--------------------------|---|------------------------------|
| United States of America |) | |
| v. |) | |
| |) | Case No. |
| Shannon Ray Bittle |) | Mag 22-67 (filed under seal) |
| |) | |
| |) | |
| |) | |

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 20, 2022 in the county of Shelby in the
Northern District of Alabama, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|---------------------|------------------------------------|
| 18 U.S.C. 922(o) | Illegal Possession of a Machinegun |

This criminal complaint is based on these facts:

On or about January 20, 2022, in Shelby County, within the Northern District of Alabama, the defendant, SHANNON RAY BITTLE, did knowingly possess and transfer a machinegun, that is, an Anderson Manufacturing AM-15, chambered in .300 AAC Blackout, bearing serial number 21275275, in violation of Title 18, United States Code Section 922(o). (See Attachment A)

Continued on the attached sheet.



Complainant's signature

Joel M. Smith, ATF Special Agent

Printed name and title

Sworn to telephonically and subscribed electronically.

Date: 2/15/22

City and state: Birmingham, Alabama

John H. England, III, U.S. Magistrate Judge

Printed name and title



Judge's signature

ATTACHMENT "A"

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Joel Smith, your Affiant, being first duly sworn, state that the following is true to the best of my knowledge and belief:

1. I, Special Agent Joel Smith, have been in law enforcement since 2010, beginning my career as a patrol officer with the City of Birmingham in Jefferson County, Alabama. After graduating from the Birmingham Police Academy in August 2010, I worked as a patrol officer before being transferred to the South Precinct Task Force. While there, I focused on the department's priority cases, working both uniformed and in plain clothes. I then accepted a position as a detective for the Birmingham Police Department. The Department assigned me to the Secret Service Financial Crimes Task Force where I worked for three years. I received a master's degree in Criminal Justice from Troy University. My experience as an investigator includes multiple organized crime investigations, including cloned card operations, check fraud rings, embezzlement, and firearms trafficking cases where criminal networks have spanned multiple states. In 2019, I accepted a position with the Bureau of Alcohol Tobacco Firearms and Explosives (ATF). Since being with ATF, I have successfully worked with local, state, and federal agencies to investigate numerous criminal cases. As

an ATF Special Agent, one of my principal assignments is to investigate violations of federal firearms laws. I am a graduate of the Criminal Investigator Training Program (“CITP”) and the ATF National Academy, both located at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received specialized training in investigative and surveillance techniques, as well as in firearms trafficking, arson investigations, and explosives investigations. I have also received extensive training regarding violations of federal law, including federal firearms offenses.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not contain all of the information I know about this matter.
3. I have reason to believe the defendant, Shannon Ray BITTLE, illegally possessed and transferred a machinegun. At this time, I am submitting this affidavit in support of a criminal complaint and warrant authorizing the arrest of the defendant, Shannon Ray BITTLE, for violating Title 18, United States Code, Section 922(o).

4. On January 11, 2022, your Affiant received information from an Agent with the Alabama Law Enforcement Agency (ALEA) regarding the potential sale of machine guns on an online chat forum. ALEA sent your Affiant a video they received from a participant on the online chat forum. The participant's initials are M.R. The video showed the suspect firing what appeared to be a fully automatic firearm. Your Affiant contacted M.R. for further details.
5. M.R. informed your Affiant he was using a social media platform called MEWE when he received a message from username "Lee Perry" who was trying to sell him a machine gun. M.R. provided the video that ALEA sent your Affiant and stated that "Lee Perry" messaged him the video.
6. On January 15, 2022, your Affiant logged onto MEWE and created a profile. Using that profile, your Affiant joined a group chat titled "Georgia/Alabama Gun Rights Group." M.R. informed your Affiant that "Lee Perry" used that group chat in the past to post firearms he was trying to sell.
7. On January 17, 2022, M.R. called your Affiant and told him "Lee Perry" sent him a message via MEWE trying to sell him a machinegun. M.R. gave your Affiant permission to log into his account and to use it for law enforcement purposes. M.R. told your Affiant that he responded to the message from "Lee Perry" by saying that he was currently offshore but wanted to purchase the firearm. Your Affiant logged in to MeWe under the account username "Mike"

the Ghost” (log in information provided by M.R.) and attempted to set up a time to purchase the firearm. “Lee Perry” informed your Affiant that even though Affiant wanted to purchase the firearm, he would not be willing to hold it without a deposit. Moments later, “Lee Perry” stated the firearm was sold, but that he would begin working on another firearm to sell.

8. Your Affiant received an anonymous tip on January 18, 2022, that linked Shannon Ray BITTLE (white male, DOB 11/22/1975) with the phone number 205-671-1704. This is the same phone number as the one “Lee Perry” sent “Mike the Ghost” as a contact number for him. A lookup of BITTLE’s Alabama driver’s license photograph appeared to match the individual in the video that M.R. sent to law enforcement. It showed the suspect firing a fully automatic weapon.
9. On January 18, 2022, your Affiant called M.R. and asked him if he could give another ATF Special Agent (SA) access to the “Mike the Ghost” MEWE account. M.R. gave verbal consent and your Affiant gave ATF undercover (UC) SA Gabe Brooks access to the “Mike the Ghost” account. On January 19, 2022, SA Brooks set up a firearm purchase with “Lee Perry” to occur on January 20, 2022. “Lee Perry” agreed to sell ATF UC a machine gun for \$1,400.

10. On January 20, 2022, BITTLE met with ATF UC at Walmart (5100 US-31, Calera, AL 35040) on or about 5:30 p.m. BITTLE arrived driving a grey Toyota RAV4, bearing Alabama tag 9384BA0. BITTLE pulled an AR-15 model lower receiver from the Subject Vehicle and showed it to ATF UC. BITTLE then got a saw and a drill from his vehicle and began to use the tools to alter the lower receiver and convert it into a machine gun. BITTLE did this while he was inside his vehicle.

11. As BITTLE made the alterations to the firearm while inside his vehicle, he described the alterations to UC and explained why he was making them. BITTLE had to replace the drill battery with another battery while working on the receiver and described the modifications he needed to make the receiver a machine gun. Once he believed enough metal had been removed, he retrieved a jig. BITTLE bolted the jig to the receiver which lined up the hole he needed to drill out in order for the Auto-Sear pin to be inserted and hold the Auto-Sear in the receiver. BITTLE claimed he made the jig himself. The hole was marked and with a 1/8th inch bit. BITTLE began drilling. The battery for the drill was too weak to complete the job, so BITTLE explained to ATF UC the process to complete it and marked the hole with a punch on the side that he had not started. BITTLE then began putting the other components into the firearm to make it function. This included an M16

trigger pack consisting of the hammer, spring, trigger, and selector switch. BITTLE also had to install a trigger guard, magazine catch and release, hand grip, bolt catch, buffer tube, buffer and buffer spring. BITTLE also explained the process of the build and the differences in the components from an AR15 (Semi-Auto) and an M16 (Full-Auto). BITTLE commented that the buffer spring needed for this firearm was stronger so that it could be fired in full automatic. BITTLE had knowledge of the characteristics which make a firearm a “machinegun.” More specifically, BITTLE had knowledge of the characteristics that made this particular firearm, identified in paragraph 13, a machinegun.

12. While building the firearm, BITTLE accepted the ATF funds (\$1,300) from ATF UC. BITTLE gave ATF UC the machinegun. BITTLE accepted \$100 less than the agreed upon price because he was not able to complete the drilling due to his drill battery’s exhaustion.

13. The firearm was identified as an Anderson Manufacturing AM-15, chambered in .300 AAC Blackout, bearing serial number 21275275. ATF agents received verbal confirmation from their ATF lab that the Anderson Manufacturing AM-15 was a “firearm” and a “machinegun” pursuant to federal law.

14. On January 27, 2022, in the Northern District of Alabama, Special Agent (SA) Joel Smith of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) requested and received a search warrant for authorization to install, maintain use, and ultimately remove a tracking device for the purpose of obtaining real time location data. On February 1, 2022, ATF Agents executed the search warrant by installing a tracking device on Shannon BITTLE's vehicle, to wit: a Grey 2018 Toyota RAV4 SUV, with VIN JTMMNFREV2JJ194071, bearing AL tag 9384BA0, that was located at 275 1st Avenue NW, Graysville, AL.

15. On February 3, 2022, BITTLE told ATF UC that he was at the location of his supplier. SA Smith checked the GPS tracker and saw that BITTLE was located directly in front of TacForce/TacMyGear in Billingsley, Alabama, at the time he sent the text message. ATF UC told BITTLE that he would be interested in purchasing a machine gun with a Griffin lower receiver. BITTLE told ATF UC that he would need some money from him first to build that firearm.

16. On February 8, 2022, ATF UC used CashApp to send BITTLE \$998. That same day, BITTLE sent ATF UC pictures of a Griffin Armament lower to show that he had purchased one. A check of the vehicle GPS tracker showed that when the pictures were sent, the vehicle belonging to BITTLE was

located at The Armory, a Federally Licensed Firearms Dealer, located at 2639 Pelham Pkwy, Pelham, Alabama 35124.

Your Affiant submits that, based on the foregoing, there is probable cause to believe that Shannon BITTLE, did knowingly possess and transfer a firearm, in violation of Title 18, United States Code, Section 922(o). I respectfully request the issuance of a warrant for his arrest.

Sworn to telephonically and subscribed electronically the 15th day of February 2022:



Joel Smith
Special Agent
Bureau of Alcohol, Tobacco, and Firearms



John H. England III
United States Magistrate Judge
Northern District of Alabama